

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOE HOLCOMBE, et. al,	§	NO. 5:18-CV-00555-XR
	§	(Consolidated cases)
Plaintiffs	§	
	§	
	§	
vs.	§	
	§	
UNITED STATES OF	§	
AMERICA,	§	
	§	
Defendant	§	

**UNITED STATES OF AMERICA AND ACADEMY, LTD., D/B/A ACADEMY SPORTS
+ OUTDOORS' JOINT NOTICE REGARDING ACADEMY'S MOTION TO QUASH
AND FOR PROTECTION FROM SUBPOENA SEEKING ORAL TESTIMONY**

TO UNITED STATES DISTRICT COURT JUDGE XAVIER RODRIGUEZ:

On July 23, 2020, the United States of America (the “United States” or “Government”) issued its corporate representative deposition subpoena (the “Subpoena”) to non-party Academy, Ltd. d/b/a Academy Sports + Outdoors (“Academy”). On August 3, 2020, Academy filed its Motion to Quash and for Protection from the Government’s Subpoena (Doc. No. 246) (“Motion to Quash”). Academy’s Motion to Quash is currently pending before the Court, and the Government’s response is due on August 10, 2020.

The United States intends to file a motion for summary judgment against all claims in this lawsuit on or before August 21, 2020, per the Court’s Order (Doc. No. 247). The outcome of that motion could potentially obviate the need for the Government’s Subpoena and/or any additional discovery from Academy related to this lawsuit. In the interest of judicial economy and the

preservation of judicial and party resources, the United States has agreed to stay any and all discovery requests and subpoenas against Academy until its summary judgment is decided by the Court. The United States and Plaintiffs entered into an agreement whereby the Government could resolve its discovery dispute with Academy and continue its pursuit of discovery from Academy past the liability discovery deadline of August 3, 2020. Consequently, there is no need for the Court to consider Academy's Motion to Quash at this time.

The United States and Academy each reserve any and all arguments with respect to the discovery sought against Academy, as well as Academy's objections, responses, and motions with respect thereto.

RESPECTFULLY SUBMITTED,

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CERTIFICATE OF SERVICE

I certify that on August 10, 2020, I electronically filed the foregoing with the clerk of court by using the CM/ECF system, and that all counsel of record have received notice and been served through that system.

/s/ Paul David Stern
Paul David Stern